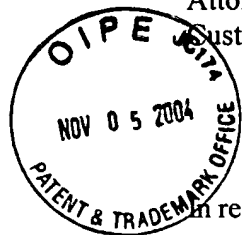


215105

Attorney Docket No.: 215105.01400  
Customer No. 27160

U.S. Patent Application No.  
10/658,528



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Cary James MILLER *et al.*

Application No.: 10/658,528

Filed: September 10, 2003

For: IMMUNOASSAY DEVICE WITH  
IMPROVED SAMPLE CLOSURE

:  
:  
: Group Art Unit: 1641  
:  
: Examiner: Not Yet Assigned  
:  
: Confirmation No.: 1959  
:  
: Atty. Dkt. No.: 215105.01400

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 5, 2004

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56 and in accordance with the practice under 37 C.F.R. §§1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Forms PTO/SB/08A and PTO/SB/08B. In accordance with current practice, copies of any listed U.S. Patent Documents are not being provided.

**FORMAL MATTERS**

In accordance with 37 C.F.R. § 1.97(b)(3), since a first Official Action on the merits of the subject application has not yet been issued, neither a certificate, petition nor payment of a fee is believed to be required for this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee which may be required in connection with this paper to Deposit Account No. 50-1710.

Attorney Docket No.: 215105.01400  
Customer No. 27160

U.S. Patent Application No.  
10/658,528

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B be returned indicating that such information has been considered.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

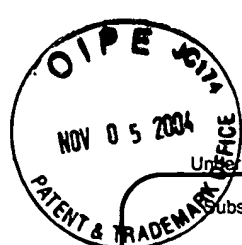
Respectfully submitted,



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Gilberto M. Villacorta, PH.D.  
Registration No. 34,038  
Robert W. Hahl, PH.D.  
Registration No. 33,893

Patent Administrator  
KATTEN MUCHIN ZAVIS ROSENMAN  
525 West Monroe Street, Suite 1600  
Chicago, Illinois 60661-3963  
(202) 625-3500



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/658,528
Filing Date	September 10, 2003
First Named Inventor	Cary James MILLER
Art Unit	1641
Examiner Name	Not Yet Assigned
Attorney Docket Number	215105.01400

Sheet 1 of 3

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 5,096,669	03/17/1992	LAUKS et al.	
	2	US- 5,628,961	05/13/1997	DAVIS et al.	
	3	US- 5,447,440	09/05/1995	DAVIS et al.	
	4	US- 5,821,399	10/13/1998	ZELIN	
	5	US- 5,807,752	09/15/1998	BRIZGYS et al.	
	6	US- 4,997,526	03/05/1991	ROBBLEE	
	7	US- 4,830,959	05/16/1989	McNEIL et al.	
	8	US- 5,200,051	04/06/1993	COZZETTE et al.	
	9	US- 5,112,455	05/12/1992	COZZETTE et al.	
	10	US- 5,063,081	11/05/1991	COZZETTE et al.	
	11	US- 6,478,938	11/12/2002	PAEK et al.	
	12	US- 6,436,699	08/20/2002	BERGGREN et al.	
	13	US- 3,853,467	12/10/1974	GIAEVER	
	14	US- 6,106,778	08/22/2002	OKU et al.	
	15	US- 6,475,372	11/05/2002	OHARA et al.	
	16	US- 4,686,479	08/11/1987	YOUNG et al.	
	17	US- 5,081,063	01/14/1992	VONNO et al.	
	18	US- 6,030,827	02/29/2000	DAVIS et al.	
	19	US- 2003-0059954	03/27/2003	VIKHOLM et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	20	JP 7-260782 A	10/13/1995	Shionogi & Co., Ltd.		
	21	JP 5-273212 A	10/22/1993	Pola Chem Ind. Inc.		

Examiner  
SignatureDate  
Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/658,528
Filing Date	September 10, 2003
First Named Inventor	Cary James MILLER
Art Unit	1641
Examiner Name	Not Yet Assigned
Attorney Docket Number	215105.01400

Sheet 2 of 3

**U. S. PATENT DOCUMENTS**

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		Number-Kind Code <sup>2</sup> (if known)			
	22	US- 5,656,504	08/12/1997	JOHANSSON et al.	
	23	US- 6,379,883	04/30/2002	DAVIS et al.	
	24	US- D337,164	07/06/1993	LAUKS et al.	
	25	US- 5,779,650	07/14/1998	LAUKS et al.	
	26	US- 5,666,967	09/16/1997	LAUKS et al.	
	27	US- 5,653,243	08/05/1997	LAUKS et al.	
	28	US- 5,638,828	06/17/1997	LAUKS et al.	
	29	US- 6,010,463	01/04/2000	LAUKS et al.	
	30	US- 5,208,649	05/04/1993	CUPPOLETTI et al.	
	31	US- 5,254,315	10/19/1993	NURSE et al.	
	32	US- 6,395,235	05/28/2002	KILCOIN et al.	
	33	US- 2002-0155033	10/24/2002	STRAND et al.	
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SignatureDate  
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE  STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	10/658,528		
		Filing Date	September 10, 2003		
		First Named Inventor	Cary James MILLER		
		Art Unit	1641		
		Examiner Name	Not Yet Assigned		
Sheet	3	of	3	Attorney Docket Number	215105.01400

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	34	Eddowes, M. J., "Direct Immunochemical Sensing: Basic Chemical Principles and Fundamental Limitations", Biosensors, 3: 1-15, 1987.	✓
	35	Laurell, C. B., "Electroimmunoassay", Methods in Enzymology, vol. 73, Academic Press, New York, 339, 340, 346-348, 1981.	✓
	36	Green, M. J., "Electrochemical Immunoassays", Phil. Trans. R. Soc. Lond., 316: 135-142, 1987.	✓

Examiner Signature		Date Considered	
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